IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital the 19th day of December 2003
Criminal Misc. Bail Application No. 1178/2003
Order on the bail application of accused.

CRIMINAL SIDE

Dhawajveer Singh
S/o Sri Balbeer Singh
R/o Village Ngou Khatasaeli
Chakarata, Patwari Circle Ngou
District Dehradun .....Applicant.

Versus

State of Uttaranchal .....Opposite party.

Arising out of case crime No. 02/2003
U/S 302 I.P.C.
P.S. Patwari Area, Tehsil Chakrata
District Dehradun.

By the court

Hon'ble Irshad Hussain J.

Heard Sri Vinod Sharma, learned counsel for the applicant and learned A.G.A. for the State.

The occurrence is said to have taken place at about 4 p.m. on 30-9-2003 allegedly in the presence of the deceased's wife Smt. Lila Devi. However she had not lodged the report of the incident. Next day at 7.30 a.m. the F.I.R. was lodged by her son who was not the eye witness. The learned counsel for applicant-accused submitted that the presence of the wife in these circumstances becomes highly doubtful. Considering these facts the applicant-accused is admitted to bail.

The applicant-accused Dhawajveer shall be released in crime No. 02/2003 under section 302 I.P.C., P.S. Patwari Area, Tehsil Chakrata, District Dehradun on his executing a personal bond and two sureties each in the like amount to the satisfaction of C.J.M., Dehradun.

Dated: 19.12.2003 **(Irshad Hussain, J.)**
ISB